REMARKS

Prior to entry of this amendment, Claims 1-24 were pending in this application. In the aforementioned Office Action, Claims 1-4, 7-14, 17-20, 23 and 24 were rejected under 35 U.S.C. §102(e) and Claims 5, 6, 15, 16, 21 and 22 were rejected under 35 U.S.C. §103(a).

By this amendment, Claims 1, 11, 17, 23 and 24 are amended. Hence, Claims 1-24 are presently pending in this application.

OBJECTIONS

In the Action, the drawings were objected to for failing to comply with 37 CFR 1.84(p)(5) because they did not include reference signs mentioned in the description. In response, a proposed drawing correction to FIG. 4, adding the reference sign "202", is submitted herewith. Additionally, the specification is amended herein, at the paragraph beginning on page 19, line 17, to substitute reference sign "302" for "818." The objections to the drawings are, therefore, overcome. Withdrawal of the objections to the drawings is kindly requested.

REJECTIONS BASED ON PRIOR ART

Rejection under 35 U.S.C. §102(e)

The Office Action rejected Claims 1-4, 7-14, 17-20, 23 and 24 under 35 U.S.C. §102(e) as allegedly being anticipated by Krishnamurthy et al. ("Krishnamurthy"; U.S. Patent No. 6,389,464). This rejection of Claims 1-4, 7-14, 17-20, 23 and 24 is respectfully traversed.

To summarize the Krishnamurthy reference, it describes a system comprising a site server 12 to which a number of devices 14 can be connected (col. 5, lines 48-50) and a relational database 80 for storing configuration data which, when used in connection with

MIB files, allows native interfaces of devices to be interpreted as SNMP operations, thereby allowing for management of different types of devices 14 connected to the site server 12 (col. 6, lines 58-65). Further, a web server 64 of site server 12 supports a scripting language to allow commands to operate on the relational database 80 (col. 8, lines 24-27) and to specify variables in the scripting language to bind to specific MIB instances, thus indicating to an SNMP agent 82 that a specific procedure should be run during processing of SNMP operations (col. 9, lines 30-38). The site server 12 is designed to be configured from a remote computer 58 using a web browser (col. 12, lines 39-42) and is programmed to download device MIBs corresponding to devices 14 (col. 14, lines 37-40). For example, a Get command is placed in a native protocol and format that can be understood by a device 14 (col. 16, lines 39-42). The site server is further characterized as a universal device management communication interface (col. 19, lines 23 and 24) and universal device management terminal for managing a plurality of devices from different vendors (col. 20, lines 30 and 31).

There are many subtle but patentable distinctions that exist between amended Claim 1 and the Krishnamurthy reference. First, Krishnamurthy does not teach, disclose or suggest a method for obtaining a value of a MIB variable **stored in a managed network device.** Rather, FIG. 3 of Krishnamurthy clearly shows <u>MIB 72 configured within site server 12</u>, not stored in the managed network devices, such as devices 14 shown in FIG. 2. Furthermore, Krishnamurthy does not teach, disclose or suggest the steps of receiving **at the managed network device** an HTTP request message to obtain the value of the MIB variable or communicating the value **from the managed network device** to the browser, as recited in Claim 1. The site server 12 of Krishnamurthy interfaces with the network devices to assist in

managing them, but Krishnamurthy does not teach any functionality analogous to the features recited in Claim 1 that are performed **in, at or from the network device**. In fact, Krishnamurthy teaches away from the claims of the Application because Krishnamurthy is directed at a universal device management communication interface/terminal that foregoes any need to modify or provide additional functionality to the actual network devices being managed.

Second, emphasizing a different point, Krishnamurthy does not teach receipt of an **HTTP request message** to obtain the value of the MIB variable. Krishnamurthy may teach <u>management of the site server 12 through a browser</u>, and thus probably using HTTP, but not an HTTP message requesting a MIB variable value. Based on the foregoing reasons, Krishnamurthy cannot and does not anticipate the invention recited in Claim 1. Withdrawal of the rejection of Claim 1 is, therefore, respectfully requested.

Claims 2-10 depend either directly or indirectly from Claim 1. Therefore, Claims 2-10 are patentable over the references of record for at least the same reasons as presented in reference to Claim 1. Withdrawal of the rejection of Claims 2-4 and 7-10 is, therefore, requested.

Furthermore, Claims 2-10 include additional features that are not taught, disclosed or suggested by Krishnamurthy. For example, with respect to Claim 2, Krishnamurthy does not teach creating and **storing a MIB object tree in a memory of the network device**. Portions of Claims 1 and 3 of Krishnamurthy are relied on in the Action for the alleged anticipation of this feature. Those portions of Krishnamurthy do not support an anticipation rejection because the memory devices recited in Claims 1 and 3 of Krishnamurthy are part of the "universal device management communication interface" of Claim 1, and the "universal

device management terminal" of Claim 3. As emphasized above, the universal device management interface or terminal (i.e., site server 12) of Krishnamurthy interfaces with managed network devices, but is not the network device being managed, as in Claim 2 of the application. Additionally, the cited memory devices of Krishnamurthy both store at least one MIB file for allowing interpretation of native protocol or native interlace operations, but not a MIB object tree, as in Claim 2. For these additional reasons, the rejection of Claim 2 should be withdrawn.

For another example, with respect to Claim 7, the first passage relied upon in the Action (col. 2, lines 24-55) for the rejection of Claim 7 simply describes SNMP, MIBs, and their general relation to each other. The second passage relied upon in the Action discusses a scripting language that (1) provides extensions to allow commands to operate on the relational database 80 (col. 8, lines 24-39), which is not the same as the Management Information Base 72 of Krishnamurthy or the MIB variable of Claim 7 of the application; and (2) provides a mechanism for loading groups of related functions when they are needed (col. 8, lines 40-47). Thus, the foregoing passages do not teach, disclose or suggest creating and storing an executable software element, in association with the browser, configured for packaging an SNMP query into the request for a MIB variable value. For these additional reasons, the rejection of Claim 7 should be withdrawn.

Claim 11 includes steps carried out by a processor of a network device. The steps are similar to the steps recited in Claim 1, with additional structure. Hence, the distinctions between the method steps of Claim 1 and Krishnamurthy, as presented above, are also present between the steps of Claim 11 and Krishnamurthy. Furthermore, the structure of the network device of Claim 11 is not taught, disclosed or suggested in the network devices of

Krishnamurthy. That is, the network devices 14 of Krishnamurthy do not include a MIB (as discussed above), an SNMP daemon or an HTTP daemon. For all of these reasons, Claim 11 is patentable over the cited references of record and, therefore, withdrawal of the rejection of Claim 11 is respectfully requested.

Claims 12-16 depend either directly or indirectly from Claim 11. Therefore, Claims 12-16 are patentable over the references of record for at least the same reasons as presented in reference to Claim 11. Withdrawal of the rejection of Claims 12-14 is, therefore, requested.

Claims 17-22 are computer readable medium claims reciting steps similar to those in Claims 1-6. Therefore, Claims 17-22 are patentable over the references of record for at least the same reasons as presented in reference to Claims 1-6. Withdrawal of the rejection of Claims 17-20 is, therefore, requested.

Claim 23 recites a browser program that includes an executable software element configured to cause a processor to carry out steps similar to those recited in Claim 1, and Claim 24 recites an applet that is executable in a browser program and configured to cause the browser to carry out steps similar to those recited in Claim 1. Therefore, Claims 23 and 24 are patentable over the references of record for at least the same reasons as presented in reference to Claim 1. Withdrawal of the rejections of Claims 23 and 24 is, therefore, requested.

Rejection under 35 U.S.C. §103(a)

The Office Action rejected Claims 5, 6, 15, 16, 21 and 22 under 35 U.S.C. §103(a) as allegedly being unpatentable over Krishnamurthy in view of Land et al. ("Land"; U.S. Patent No. 6,008,805). The rejection is respectfully traversed.

Claims 5, 6, 15, 16, 21 and 22 depend from one of independent Claims 1, 11 and 17 and thus include every feature of such claim. Therefore, Claims 5, 6, 15, 16, 21 and 22 are patentable over the Krishnamurthy reference, in view of the Land reference, based on the foregoing reasons regarding Krishnamurthy. In particular, since Krishnamurthy does not teach, disclose or suggest various features of independent Claims 1, 11 and 17, in combination with Land it cannot show the complete combination as claimed. Therefore, Krishnamurthy in view of Land does not make obvious any claims dependent thereon. Thus, a *prima facie* case of obviousness was not established with respect to Claims 5, 6, 15, 16, 21 and 22 and, therefore, withdrawal of the rejection of these claims is respectfully requested.

Evidence to establish common ownership of the present Application and the Land reference

Application 09/496,600 (the present Application) and U.S. Patent No. 6,008,805 were, at the time the invention of Application 09/496,600 was made, owned by, or subject to an obligation of assignment to a common assignee, namely Cisco Technology, Inc. An Assignment of Application 09/496,600 to Cisco Technology, Inc. is recorded at Reel 010879 and Frame 0089.

Hence, U.S. Patent No. 6,008,805 is disqualified as prior art under 35 U.S.C. §102(e), (f), and (g) and consequently disqualified, under 35 U.S.C. §103(c), from forming a basis for a rejection under 35 U.S.C. §103(a) against the claims of Application 09/496,600.

Furthermore, Applicants can establish invention of the subject matter of the rejected claims prior to the effective date of U. S. Patent No. 6,008,805. However, since Claims 5, 6, 15, 16, 21 and 22 are shown to be patentable over the Krishnamurthy and Land references based on the reasons presented above regarding Krishnamurthy with respect to independent

Claims 1, 11 and 17, and to expedite prosecution of the Application, an affidavit under 37 CFR 1.131 is deferred for a later time, if necessary.

Attached hereto is a marked-up version of the changes made to the specification and claims by the present amendment. The attached version is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

CONCLUSION

For at least the reasons indicated above, Applicants submit that all of the pending claims (1-24) present patentable subject matter over the references of record, including that which was cited but not applied, and are in condition for allowance. Therefore, Applicants respectfully request the Office to issue a timely Notice of Allowance in this case. If the Examiner has questions regarding this case, the Examiner is invited to contact Applicant's undersigned representative.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is

hereby made. Please charge any shortages in fees due in connection with the filing of this

paper, including extension of time fees, or credit any overages to Deposit Account No. 50-

1302.

Respectfully Submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

The paragraph beginning on page 19, line 17:

A communication interface 302 may be coupled to bus 802 for communicating

information and command selections to processor 804. Interface [818] 302 is a

conventional serial interface such as an RS-232 or RS-422 interface. An external

terminal 812 or other computer system connects to the computer system 800 and provides

commands to it using the interface 814. Firmware or software running in the computer

system 800 provides a terminal interface or character-based command interface so that

external commands can be given to the computer system.

In the claims:

1   1. (Amended) A method for obtaining a current value of a Management Information base

2   (MIB) variable stored in a managed network device in a network, the method

3   comprising the steps of:

4   receiving a connection of a Web browser to the network device;

5   receiving at the network device an HTTP request message from the browser to

6   obtain the current value of the MIB variable;

7   receiving the current value of the MIB variable from the MIB of the network

8   device; and

9   communicating the current value of the MIB variable from the network device to

10   the browser using an HTTP reply message.

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1   11. (Amended) A network device, comprising:

2   a processor;

3   a Management Information Base (MIB) logically accessible by the processor and

4   comprising one or more stored values of MIB variables;

5   a Simple Network Management Protocol (SNMP) daemon executed by the processor;

6   a Hypertext Transfer Protocol (HTTP) daemon executed by the processor;

7   stored instructions for obtaining a current value of a Management Information base

8   (MIB) variable stored in a managed network device which, when executed by

9   the processor, cause the processor to carry out the steps of:

10   receiving a connection of a Web browser to the network device;

11   receiving at the network device an HTTP request message from the browser to

12   obtain the current value of the MIB variable;

13   receiving the current value of the MIB variable from the MIB of the network

14   device; and

15   communicating the current value of the MIB variable from the network device

16   to the browser using an HTTP reply message.

1   17. (Amended) A computer-readable medium carrying one or more sequences of one or more

2   instructions for obtaining a current value of a Management Information base (MIB)

3   variable stored in a managed network device in a network, the one or more sequences

4   of one or more instructions including instructions which, when executed by one or

5   more processors, cause the one or more processors to perform the steps of:

6   receiving a connection of a Web browser to the network device;

7   receiving at the network device an HTTP request message from the browser to

8   obtain the current value of the MIB variable;

9   receiving the current value of the MIB variable from the MIB of the network

10   device; and

11   communicating the current value of the MIB variable <u>from the network device</u>

12   to the browser using an HTTP reply message.

1   23. (Amended) An HTTP browser program including a plug-in executable software element

2   configured for obtaining a current value of a Management Information Base (MIB)

3   variable stored in a <u>managed</u> network device in a network and which, when executed

4   by a processor that executes the browser, causes the processor to carry out the steps

5   of:

6   receiving a connection of a Web browser to the network device;

7   receiving <u>at the network device</u> an HTTP request message from the browser to obtain

8   the current value of the MIB variable;

9   receiving the current value of the MIB variable from the MIB of the network device;

10   and

11   communicating the current value of the MIB variable <u>from the network device</u> to the

12   browser using an HTTP reply message.

1   24. (Amended) An applet executable in a browser program and configured for obtaining a

2   current value of a Management Information Base (MIB) variable stored in a <u>managed</u>

3   network device in a network and which, when executed by the browser, causes the

4   browser to carry out the steps of:

5   receiving a connection of a Web browser to the network device;

6   receiving <u>at the network device</u> an HTTP request message from the browser to obtain

7   the current value of the MIB variable;

8   receiving the current value of the MIB variable from the MIB of the network device;

9   and

10   communicating the current value of the MIB variable <u>from the network device</u> to the

11   browser using an HTTP reply message.